

SCHERTLER ONORATO MEAD & SEARS

March 25, 2024

VIA ECF

Hon. Sidney H. Stein
United States District Judge
Southern District of New York
500 Pearl Street, Courtroom 23A
New York, NY 10007

**Re: *United States v. Robert Menendez et al.*, Case No. 1:23-cr-00490-SHS
Nadine Menendez's Renewed Motion to Sever and Motion to Join Motions Filed
By Co-Defendants**

Dear Judge Stein:

On March 5, 2024, the Government filed a Fourth Superseeding Indictment. Pursuant to the Court's March 11, 2024 Order, Nadine Menendez, through counsel, renews her Motion to Sever, ECF Nos. 131 (Motion) and 132 (Memorandum in Support), with respect to the Fourth Superseeding Indictment.

In addition, Nadine Menendez also moves to join motions filed by co-defendants that may be applicable to her. Specifically, Ms. Menendez joins the following motions:

1. Fred Daibes' Motion to Dismiss the Fourth Superseding Indictment, filed on March 25, 2024. *See* ECF No. 259 (Motion)

Specifically, Ms. Menendez moves to join Mr. Daibes' (1) motion to dismiss Counts 1, 2, 12, and 13 of the Fourth Superseding Indictment for failure to state an offense, (2) motion to dismiss Count 13 of the Fourth Superseding Indictment for duplicity, and (3) motion to dismiss Count 4 of the Fourth Superseding Indictment for not adequately alleging venue.

2. Wael Hana's Motion to Dismiss, filed on March 25, 2024. *See* ECF No. 261 (Memorandum in Support).

Specifically, Ms. Menendez moves to join Wael Hana's (1) motion to dismiss Counts 1, 2, 7, and 9 of the Fourth Superseding Indictment for failure to charge an offense, (2) motion to dismiss Count 15 of the Fourth Superseding Indictment, (3) motion to dismiss Counts 1, 2, 6, 7 and 15, of the Fourth Superseding Indictment for duplicity or multiplicity, and (4) motion to dismiss for improper venue.

3. Any and all motions filed by Senator Robert Menendez's that may be applicable to Ms. Menendez.

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Respectfully,

/s/ Danny Onorato

Danny Onorato

David Schertler

Paola Pinto

Counsel for Nadine Menendez